

Amendments to the Drawings

Please amend the drawings by inserting the identified New Sheet attached hereto and discussed in the Remarks section below.

REMARKS

I. Amendment to the Drawings

Figure 3 has been added. Figure 3 shows a side view of a device for adjusting a cable 11, 12 according to an embodiment of the present invention.

Support for the amendment is provided in the specification, page 5, lines 6-7; and page 6, line 28 through page 8, line 14, describing the embodiment illustrated in Figure 3. Accordingly, no new matter has been introduced.

In addition, Figure 3 was originally filed in the PCT application based upon which the present application was filed under 35 U.S.C. 371 as a US national stage application. Figure 3 was only missing in the English translation submitted with the filing under 35 U.S.C. 371. Accordingly, Figure 3 is indeed not a new drawing.

II. Amendment to the Claims

Upon entry of the foregoing amendment, twenty four (24) claims are pending in the application. Of the pending claims, two (2) are independent.

Support for the amendments of Claim 1 is provided in the specification at page 6, lines 1-6, and Claim 13 as well as in Figures 1 and 2.

Support for the amendments of Claim 14 is provided in the specification at page 7, lines 22-30, and Claim 22 as well as in Figure 3.

III. Objections to the Drawings

The Examiner has objected to the drawings as failing to show every feature of the invention specified in the claims. Specifically, the Examiner has pointed out that the drawings do not show the cable pull, Bowden wire, and lumbar support.

Figure 3 has been added to illustrate an embodiment of the present invention as described in the specification referring thereto. Accordingly, no new matter has been introduced. In addition, Figure 3 was originally filed in the PCT application based upon which the present application was filed under 35 U.S.C. 371 as a US national stage application. Figure 3 was only missing in the English translation submitted with the filing under 35 U.S.C. 371. Accordingly, Figure 3 is indeed no new drawing.

Figure 3 shows the cable pull and Bowden wire constructed as specified in the claims. It is respectfully submitted that the objections to the drawings regarding the cable pull and Bowden cable have been rendered moot by the amendment.

In addition, the claimed invention has distinguishing technical features in the configuration of the adjustment device. A lumbar support is merely an application of such a novel adjustment device. Accordingly, it is respectfully submitted that a specific illustration in the drawings of the lumbar support should not be necessary.

IV. Objection to the Specification

The Examiner has objected to the specification as describing and referring to Figure 3 not contained in the drawings. Appropriate correction has been made by the amendment replacing the missing Figure 3.

V. Rejections of Claims under 35 U.S.C. § 112

The Examiner has rejected Claims 9 and 14-24 under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Specifically, the Examiner has pointed out that in Claim 9, line 2, "the at least one resiliently elastic element" has no definite antecedent basis. Claim 9 has been amended to incorporate the limitations of Claim 6 having an antecedent basis for "the at least one resiliently elastic element." Accordingly, the problem has been appropriately corrected.

In addition, the Examiner has rejected Claims 14-24 as being indefinite in that it is unclear what the configuration of the cable pull relative to the adjustment device looks like. Claim 14 has been amended to further define the relationship between the cable pull and the other elements of the adjustment device. Specifically, Claim 14 as amended recites "the cable pull is displaceably mounted relative to the housing" of the adjustment device. Accordingly, it is believed that the rejections have been rendered moot.

VI. Rejections of Claims under 35 U.S.C. § 102

The Examiner has rejected Claims 1-10 and 12-24 under 35 U.S.C. §102(b) as being anticipated by Knelsen et al (US 6,918,884). It is respectfully submitted that the rejections should not be maintained against the claims as amended.

Knelsen cannot anticipate Claim 1 because Knelsen fails to disclose each and every element of Claim 1 as amended. Specifically, Claim 1 as amended recites that "one of the

first and second adjustment directions is for reducing the rest width and the other of the first and second adjustment directions is for increasing the rest width." In other words, when the adjusting unit displaces the adjusting part in the first or second adjustment direction, the displacement of the adjusting part either reduces or increases the rest width of the seat. However, Knelsen only shows a lumbar support device being operated by a Bowden cable arrangement. Nowhere in Knelsen is shown a configuration for adjusting the rest width as claimed.

Accordingly, it is respectfully submitted that Knelsen cannot anticipate Claim 1 as amended and Claims 2-10 depending therefrom.

In addition, Knelsen also cannot anticipate Claim 14 because Knelsen fails to disclose each and every element of Claim 14 as amended. Specifically, Claim 14 recites that "on adjustment of the cable pull in a first adjustment direction mechanical energy is taken up by the mechanical energy storage means" and that "the first adjustment direction corresponds to a releasing of the cable pull." In other words, when the mechanical energy is taken up by the mechanical energy storage means, the cable pull is released. In addition, Claim 14 also recites that "while an adjustment of the cable pull takes place in a second direction assisted by the release of previously taken up mechanical energy from the mechanical energy storage means" and that "the second adjustment direction corresponds to a tensioning of the cable pull." In other words, when the mechanical energy is released, it assists the cable pull to be tensioned. This claimed configuration of cable pull and mechanical energy storage means arranged in the housing is not shown in Knelsen. Instead, Knelsen indeed teaches the opposite configuration. In Knelsen, when the cable is

tensioned the spring 16 stores the energy, and when the cable is released the spring 16 releases the stored energy.

As a separate and independent reason, Knelsen fails to show the claimed housing, relative to which a cable pull is displaceably mounted and which has a mechanical energy storage means arranged therein.

VII. Rejections of Claims under 35 U.S.C. § 103

The Examiner has rejected Claim 11 under 35 U.S.C. §103(a) as being unpatentable over Knelsen.

It is respectfully submitted that this rejection should also be withdrawn against Claim 11 because Knelsen fails to teach or suggest the claimed configuration for adjusting the rest width as claimed in Claim 1 from which Claim 11 depends as discussed above.

VIII. Conclusion

All of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider all presently outstanding rejections and that they be withdrawn. It is believed that a full and complete response has been made to the outstanding Office Action, and as such, the present application is in condition for allowance.

If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, he is invited to telephone the undersigned at the number provided.

Prompt and favorable consideration of this Amendment is respectfully requested.

Respectfully submitted,



By: Grant D. Kang, Reg. No. 37,651
Kang Intellectual Property Law, LLC
214 Elm Street, Suite 106
Washington, MO 63090
636-390-8103
636-390-8104 FAX